

Appl. No. 10/815,120

AMENDMENTS TO THE DRAWINGS

Please replace figures 1 and 2 with the attached figures 1 and 2, which are labeled
“Replacement Sheet”.

REMARKS

Claims 1-8 are pending in the instant application after this amendment adds new claim 8. Claims 5 and 6 have been withdrawn in response to an earlier restriction requirement. Applicants reserve the right to pursue claims 5 and 6 in a divisional application. Claim 7 and the Abstract are amended herein in order to clarify the subject matter recited and described. Figures 1 and 2 are replaced with new figures 1 and 2, which are better copies of the previous figures 1 and 2. No new matter is added by the amendments, which find support throughout the specification and figures. In view of the amendments and the following remarks, favorable reconsideration of this case is respectfully requested.

The Office Action objects to figures 1-2 as being clear. Applicants herein submit a copy of figures 1 and 2 marked as "Replacement Sheet". It is respectfully submitted that the replacement figures 1 and 2 are clear copies of the figures.

The Examiner also objects to the Abstract, which is amended herein to respond to the objection. It is therefore respectfully requested that the objection to the Abstract be withdrawn.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Application No. 2001-064004 to Sumio et al. (hereinafter referred to as Sumio). Applicants respectfully traverse.

Claim 1 relates to a *polarizing electrode* composed of a carbon composite. As a carbon material of the carbon composite, a single-layer carbon nanohorn aggregate, which is made in such a manner that the single-layer carbon nanohorns are aggregated spherically, is used.

The Examiner asserts that Sumio discloses all of the features of claim 1. However, it is respectfully submitted that Sumio does not disclose a *polarizing electrode*, since such an electrode is not mentioned in the abstract of Sumio. Therefore, Sumio does not disclose all of the

Appl. No. 10/815,120

features of claim 1, and therefore does not anticipate claim 1. Therefore claim 1 is allowable over Sumio.

Claim 2 depends from claim 1 and is allowable at least for the same reasons that claim 1 is allowable.

Claims 3, 4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sumio in view of Japanese Patent Application No. 2000-510999 (hereinafter referred to as '999).

Applicants respectfully traverse.

Claims 3 and 4 depend from claim 1. Since the addition of the '999 reference fails to cure the critical deficiency discussed above in regard to Sumio as applied against claim 1, claims 3 and 4 are allowable at least for the same reasons that claim 1 is allowable.

Claim 7 relates to an electric double-layer capacitor that includes a polarizing electrode. In amended claim 7, the polarizing electrode is composed of a carbon composite including a single-layer carbon nanohorn aggregate made in such a manner that the single-layer carbon nanohorns are aggregated spherically as a carbon material.

As discussed above in regard to claim 1, Sumio does not disclose or suggest a polarizing electrode. The addition of the '999 reference fails to cure this critical deficiency, and therefore the combination of the references does not render claim 7 unpatentable.

New claim 8 relates to a polarizing electrode that includes a carbon composite including a single-layer carbon nanohorn aggregate. In claim 8, the single-layer carbon nanohorn aggregate is aggregated spherically.

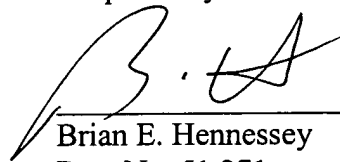
As discussed above in regard to claims 1 and 7, Sumio does not disclose or suggest a polarizing electrode. Therefore, for at least for the same reasons that claims 1 and 7 are allowable, new claim 8 is also allowable.

Appl. No. 10/815,120

In view of the remarks set forth above, Applicants respectfully submit that the present application is in condition for allowance. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not fully covered by an enclosed check, may be charged on Deposit Account 50-1290.

Respectfully submitted,



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